

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Shunpei Yamazaki, et al.	Art Unit	: 2813
Serial No.	: 09/451,665	Examiner	: Laura Schillinger
Filed	: November 30, 1999	Confirmation No.:	9359
Title	: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD THEREOF		

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF OCTOBER 31, 2005

Claims 1, 2, 4, 5, 7-13, 15, 16, 18-23, 25, 26, 28-34, 36, 37, 39-81 and 83 are pending. Claims 12, 13, 15, 16, 18-23, 25, 26, 28-34, 36, 37 and 39-81 have been withdrawn, leaving claims 1, 2, 4, 5, 7-11 and 83 under consideration. Of these, claim 1 is independent.

The claims have been rejected as being anticipated by Yamazaki (U.S. Patent No. 6,165,876). Applicant requests reconsideration and withdrawal of this rejection because Yamazaki does not qualify as prior art with respect to the present application.

Yamazaki issued on December 26, 2000, from an application filed on January 24, 1996. By contrast, the present application is a continuation of an application filed on March 22, 1996, which, in turn, claims priority to a Japanese application filed on March 23, 1995. This Japanese application supports the presently-claimed subject matter. Accordingly, Yamazaki does not qualify as prior art under section 102(e) because it was not filed before the March 23, 1995 invention date established by the filing in Japan.

Applicant is preparing a verified translation of the Japanese priority application and will file it upon completion.

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Attorney's Docket No.: 07977-017002 / US2968C1D1

The fee in the amount of \$120 in payment of the one month extension of time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2/14/06


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